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Attorney for Defendant STEPHEN BROWN

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

E-FILED - 9/20/06

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEPHEN BROWN,

Defendant.

_____/

Case No. CR 05-00734-RMW

STIPULATION AND ORDER TO CONTINUE SENTENCING

IT IS HEREBY STIPULATED between the parties that defendant's sentencing hearing now set for October 10, 2006, at 9:00 a.m., be vacated and reset to November 13, 2006, at 9:00 a.m. This will allow for needed additional time to prepare the Pre-sentence Report.

It is so stipulated:

Dated: September 14, 2006

/s/ Allen H. Schwartz
Allen H. Schwartz
Attorney for Defendant

It is so stipulated:

Dated: *September 14, 2006*

/s/ Mark L. Krotoski
Mark L. Krotoski
Assistant United States Attorney

It is so ordered:

Dated: 9/20/06

/s/ Ronald M. Whyte
Hon. Ronald M. Whyte
United States District Judge

Copies to be served on:

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280 So. First Street, Suite 106
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DECLARATION RE SIGNATORIES

I, Allen H. Schwartz, hereby declare:

1. I am the filer of the foregoing document entitled STIPULATION AND ORDER TO CONTINUE SENTENCING.

2. I have concurrence of the filing of this document by receipt from the other signatory of his faxed signature to a copy of this document.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed on September 14, 2006 at San Jose, California.

/s/ Allen H. Schwartz
Allen H. Schwartz, Declarant